

Mayor Mary Cooper called the meeting to order at 7:00 p.m. Also present were Councilmembers Bill Seuell, Guy Pfalzgraff, Robert Jurca and Kay Carlquist, along with City Manager Lanny Sloan. City Attorney Mike Schottelkotte was absent. A meeting notice was posted in the south window at City Hall at least twenty-four hours prior to the meeting.

Pledge of Allegiance

The Mayor led everyone present in the Pledge of Allegiance.

Changes to the Agenda

There were none.

Minutes

It was moved by Councilmember Jurca and seconded by Councilmember Carlquist to approve the minutes of April 15, 2008 as submitted by the Clerk. All in favor, motion carried.

Citizen Comments

The following individuals stated concerns about the speed bumps being removed off of 1575 Road and the traffic on that road:

Roger Brown at 829 1575 Road
Wendy Deuschle at 816 1575 Road
Mechelle Evans at 808 1575 Road
Jean Brown at 829 1575 Road
Leslie Green at 830 1575 Road
Frances Green at 830 1575 Road
Molly Kincaide at 825 1575 Road
Ed Pierce at 822 1575 Road

Melissa Heinzen at 676 Hwy 50 addressed her concerns about the feral cat problem in the City. She would like to work with Animal Control to help with the problem.

Brian Morris at 1180 E. 7th Street wanted to thank the City for the lighting that was installed next to his business Moca Joe's.

Hotel/Restaurant Liquor License Renewal: Sundance Best Western

The Deputy City Clerk stated that Sundance Best Western has submitted their Hotel/Restaurant Liquor License Renewal Application. The current license expires on July 2, 2008. She reported that all the fees have been paid and the Police Department reported no violations for the past year.

It was moved by Councilmember Carlquist and seconded by Councilmember Pfalzgraff to approve the Hotel/Restaurant Liquor License Renewal for Sundance Best Western. All in favor, motion carried.

Council Meeting Schedule for June and July 2008

The Deputy City Clerk explained that the upcoming CML conference will conflict with the June 17, 2008 Regular Council Meeting. Therefore, recommending rescheduling the June and July 2008 meetings for June 3rd and 24th and July 8th and 22nd.

It was moved by Councilmember Seuell and seconded by Councilmember Pfalzgraff to reschedule the Regular Council Meetings for June and July 2008 for June 3rd and 24th and July 8th and 22nd. All in favor, motion carried.

Resolution #4, 2008; Setting Public Hearing on the Annexation of 1632 Bluff Street Investors Addition

Community Development Director Glen Black stated staff has received a petition for annexation of property located along the northeast side of Highway 50 in south Delta. The developer is Brian Mason of Mason Realty who represents 1632 Bluff Street Investors, LLC. The proposal for this 30 acre parcel is to request business zoning to allow a mix of commercial and residential

Regular Meeting, Delta City Council, May 6, 2008 (Cont.)

Resolution #4, 2008 (cont.)

uses. A development of this size would require City services, particularly City sewer. Staff has received and reviewed the petition and map and believes the criteria for annexation have been met.

Resolution #4, 2008

A RESOLUTION OF THE CITY OF DELTA SETTING A PUBLIC
HEARING ON THE ANNEXATION OF THE 1632 BLUFF STREET
INVESTORY ADDITION

was read by the Deputy City Clerk.

It was moved by Councilmember Pfalzgraff and seconded by Councilmember Jurca to adopt Resolution #4, 2008. Roll call vote: Councilmember Seuell aye, Pfalzgraff aye, Jurca aye, Carlquist aye and Cooper aye. Motion carried.

Shoppes of Delta Preliminary Plat

Community Development Director Glen Black reported that this is The Shoppes at Delta PUD Preliminary Plat. The Shoppes at Delta PUD is located on the east side of Stafford Lane, east of Safeway and south of the new Taco Bell. The owner is Chazco Inc. and is being engineered by Jehn Engineering. The property contains 8.23 acres and is zoned B-2. The preliminary plat proposes to create 7 commercial lots. He stated that staff recommends approval contingent upon all the recommendations outlined in the staff report to Planning Commission:

1. City review and final approval of all storm water details.
2. City review and final approval of traffic study and access permits.
3. All intersection and other improvements as required by CDOT.
4. All water tapping fees must be paid prior to beginning construction (for each phase only).
5. All corrections are made to Preliminary Plat and construction drawings as redlined by staff.
6. Meet all City of Delta applicable requirements, standards and specifications.

It was moved by Councilmember Jurca and seconded by Councilmember Carlquist to approve the Shoppes at Delta PUD Preliminary Plat with all staff and Planning Commission recommendations. All in favor, motion carried.

Process for Hearing City Manager's Appeal of Planning Commission's Decision of April 7, 2008

City Manager Lanny Sloan explained that as per Delta City Code, Section 17.04.290(H.3), he is appealing the decision of the Delta City Planning Commission to grant a Variance and Change of Non-Conforming Use to the applicant, Brian Mason. The decision by the Planning Commission was made at their meeting held on April 7, 2008. Council may choose to hold a *de novo* hearing, or to review the tape-recording of the hearing, or review of the transcript and record of hearing.

It was moved by Councilmember Carlquist and seconded by Councilmember Jurca to have a *de novo* hearing on June 3, 2008 at 7:00 p.m. Voting aye: Councilmembers Seuell, Jurca, Carlquist and Cooper. Voting nay: Councilmember Pfalzgraff. Motion carried.

Request from Hellman Chevrolet to Use City Property

City Manager Lanny Sloan stated that both Hellman Motor Company and Hellman Chevrolet have requested permission to use City owned property east of Foster Farms/southwest of Fort Uncompahgre for a car sale on June 4 thru June 7, 2008. There is no cost to the City and they will be charged for rental of the area.

It was moved by Councilmember Seuell and seconded by Councilmember Carlquist to approve the request from Hellman Motor Company and Hellman Chevrolet to use City property for an auto sale on June 4 thru June 7, 2008. All in favor, motion carried.

Regular Meeting, Delta City Council, May 6, 2008 (Cont.)

Poppy Day Proclamation

Mayor Cooper read the proclamation.

Ordinance #6, 2008; Second Reading
Clarifying and Expanding Requirements for Site Development Plans

Ordinance #6, 2008

AN ORDINANCE OF THE CITY OF DELTA, COLORADO REPEALING AND REENACTING SECTIONS 15.04.080A AND 15.04.090A OF THE DELTA MUNICIPAL CODE TO CLARIFY AND EXPAND REQUIREMENTS FOR SITE DEVELOPMENT PLANS SUBMITTED IN SUPPORT OF APPLICATIONS FOR BUILDING PERMITS.

was introduced as Council Bill #6, 2008 and read by the Deputy City Clerk.

It was moved by Councilmember Pfalzgraff and seconded by Councilmember Carlquist to adopt Council Bill #6, 2008 on second and final reading. Roll call vote: Councilmembers Seuell aye, Pfalzgraff aye, Jurca aye, Carlquist aye and Cooper aye. Council Bill #6, 2008 was adopted on second and final reading as Ordinance #6, 2008.

Business Enhancement Agreement

Councilmember Carlquist explained that they have a new Business Enhancement Agreement that has been submitted. Ms. Carlquist stated she had some questions about the budget for office space rent.

President of the Chamber TJ Davis explained how she came up with the amount for the office space rent. The Chamber building does need repairs and they could use this amount for those repairs.

There was some discussion of the concerns regarding the amount for office space rent and possibly moving the amount into facility maintenance.

Ms. Davis stated that there is an error on page 2 of the agreement on the BE Radio broadcast being provided weekly. She explained that this would need to change to bi-monthly.

It was moved by Councilmember Carlquist and seconded by Councilmember Pfalzgraff to approve the Business Enhancement Agreement with the Delta Area Chamber Commerce, Inc. with the following changes: move the amount of the office space rent to facility maintenance and change the BE Radio broadcast to bi-monthly, and to direct staff to fund the agreement as soon as possible. All in favor, motion carried.

City Attorney Comments

There were none.

City Manager Comments

City Manager Lanny Sloan invited Council to a CML meeting in Montrose next Wednesday. He also stated that the City's curb/gutter and sidewalk program is starting again soon; anyone interested can contact Jim Hatheway.

Councilmember Comments

Councilmember Seuell asked if City Manager Lanny Sloan could explain the award that the City was selected for.

Manager Sloan explained that the award was for DADI and their business recruitment efforts.

Councilmember Seuell stated that he attended a meeting with Jim Hatheway and Jim Brown last week and that they were assured Delta would not flood. The high water day will be May 23, 2008.

Regular Meeting, Delta City Council, May 6, 2008 (Cont.)

Councilmember Comments (cont.)

Councilmember Pfalzgraff stated that he and Councilmember Carlquist have been working with the Planning Commission on the Comp Plan. They have completed a draft that is on the City's website. There is a public hearing scheduled for May 22nd, 2008 at 7:00 p.m. at Westminster Hall.

Councilmember Carlquist updated everyone on the Villas at the Bluff project. They plan to break ground in June. She stated that she toured the power plant and the waste water treatment plant and commented on how well maintained they both are. She thanked Fay Mathews for a great job.

Mayor Cooper wanted to thank all the department heads that were present for attending for questions and answers that may come up. She stated that she attended the reception held for the Supreme Court. Ms. Cooper also wanted to thank Council for their faith in her as Mayor.

The meeting was adjourned at 8:00 p.m.

Jolene E. Nelson, Deputy City Clerk